

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

TIMOTHY HOWELL

§
§
§ **CASE NUMBER 6:18-CR-7**
§
§
§
§

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS
OF FACT AND RECOMMENDATION ON GUILTY PLEA
PURSUANT TO RULE 11(c)(1)(C)**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge K. Nicole Mitchell regarding Defendant's plea of guilty to Count 1 of the Indictment charging Defendant with a violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(2)—Possession of Child Pornography.

Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the defendant's guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly **ORDERED** that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed on January 7, 2019, are hereby **ADOPTED**.

It is further **ORDERED** that Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report.

It is finally **ORDERED** that, pursuant to Defendant's plea agreement, the Court finds Defendant, Timothy Howell, **GUILTY** of Count 1 of the Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against Defendant as to Count 1 of the Indictment, reserving to the District Judge the option of rejecting the Plea Agreement if, after review of the presentence report, the agreed sentence is determined not to be the appropriate disposition of the case..

SIGNED this 9th day of January, 2019.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE